As-Is Compliance / Enforcement Process: Public Water System Enforcement (Session 1 of 4)

December 20, 2012 8:00 – 1:00 am

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Symbol Legend

Customer symbol: indicates an internal or external customer coming to initiate or receive services.

Process Step — Process step box symbol: indicates a step in a business process.

OK — Decision tree symbol: indicates Y / N options or decision in a business process.

Directional arrow: indicates the direction of a process on steps going forward, a dashed line indicates a feedback loop.

Electronic process directional arrow: indicates a process that is carried out electronically, either through an application, e-mail, batch program, etc.

Hardcopy documents: indicates a system produced document (as output), or documents that start out as hardcopy. An 'E' or 'F' in the symbol indicates e-mail or fax, respectively. Multiple symbol indicates a package of documents.

Envelope symbol: indicates a process step carried out by mail, internal or external correspondence. An "E: in the envelope indicates e-mail.

Existing database symbol: indicates an existing DB and / or a commercial off-the-shelf / custom developed application.

Vertical file, box, binder and CD-ROM symbols: indicates existing hardcopy file storage, onsite / offsite document archives, or electronic file storage.

Car symbol: indicates a step in the process carried out by automobile, or movement of information by car.

Anchor symbol: indicates instance(s) where an external department or organization adversely impedes the effective execution of a business process.

1,4,7 — Red Problem Number Keys: visual cues placed next to process steps where problem occurs in the existing business process. The same number can be used more than once for the same problem in several steps in the process.

Problems — Problem Statements: problems in the existing process, identifying any obstacle to the effective and efficient execution of a task or service delivery.

Impacts — Impact Statements: quantitative or qualitative impact to the effective and efficient execution of an internal business process or service delivery to the customer.

Solutions — Solution Statements: possible policy, process, and / or technology solutions.

Benefits — Benefit Statements: quantitative / qualitative benefits to the internal / external group, enterprise or customers.
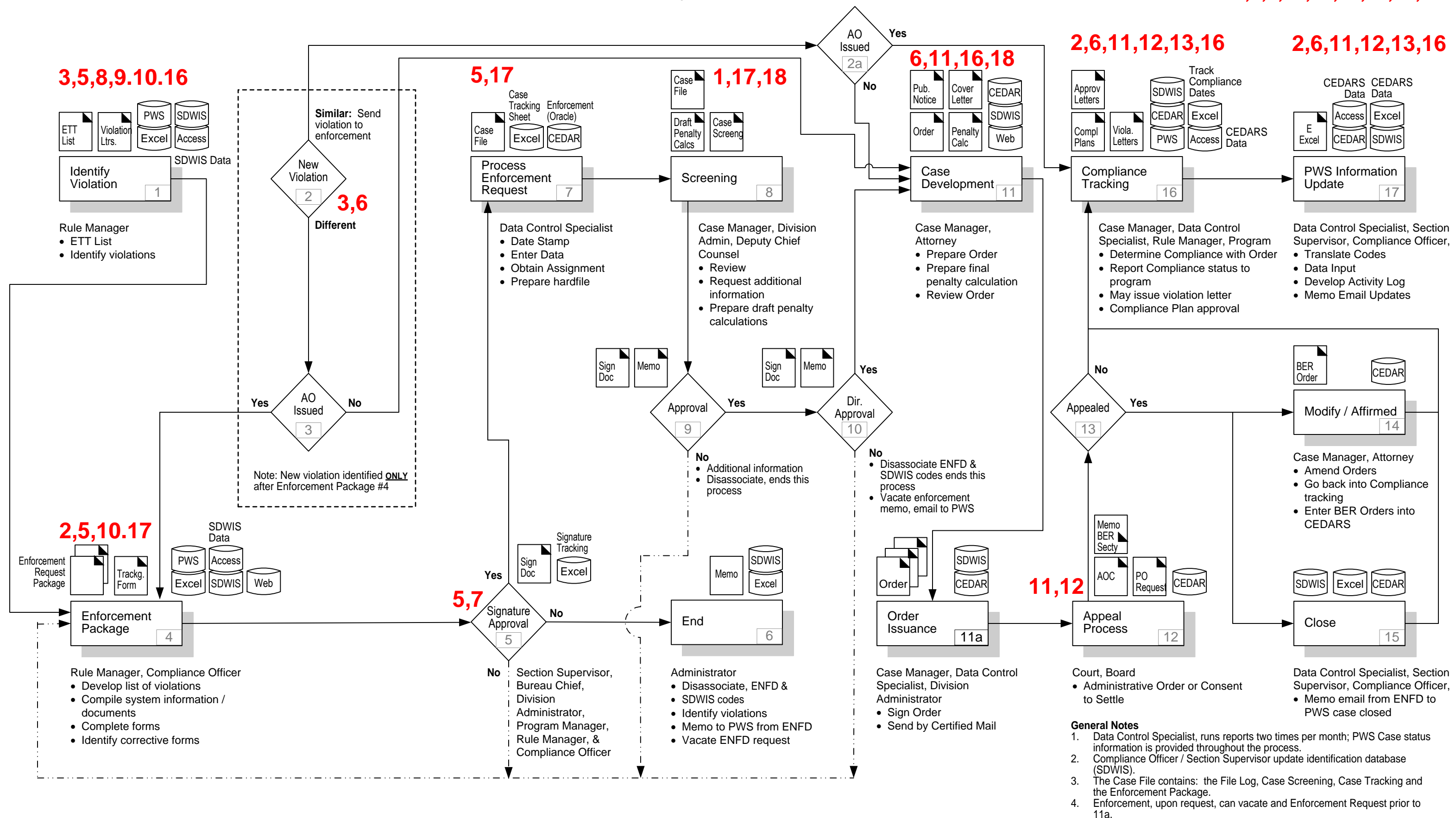
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General: 1,4,8,10,11,13,14,15,19

3,5,8,9.10.16

ETT List | Violation Ltrs. | PWS Excel | SDWIS Access

SDWIS Data

Identify Violation — 1

Rule Manager
- ETT List
- Identify violations

Similar: Send violation to enforcement

New Violation — 2

3,6

Different

AO Issued — 3

Yes / No

Note: New violation identified **ONLY** after Enforcement Package #4

5,17

Case Tracking Sheet | Enforcement (Oracle)

Case File | Excel | CEDAR

Process Enforcement Request — 7

Data Control Specialist
- Date Stamp
- Enter Data
- Obtain Assignment
- Prepare hardfile

1,17,18

Case File | Draft Penalty Calcs | Case Screening

Screening — 8

Case Manager, Division Admin, Deputy Chief Counsel
- Review
- Request additional information
- Prepare draft penalty calculations

Sign Doc | Memo

Approval — 9

Yes

No
- Additional information
- Disassociate, ends this process

Sign Doc | Memo

Dir. Approval — 10

Yes

No
- Disassociate ENFD & SDWIS codes ends this process
- Vacate enforcement memo, email to PWS

AO Issued — 2a

Yes / No

6,11,16,18

Pub. Notice | Cover Letter | CEDAR

Order | Penalty Calc | SDWIS | Web

Case Development — 11

Case Manager, Attorney
- Prepare Order
- Prepare final penalty calculation
- Review Order

2,6,11,12,13,16

Approv Letters | Track Compliance Dates | SDWIS

Compl Plans | Viola. Letters | CEDAR | Excel | PWS | Access

CEDARS Data

Compliance Tracking — 16

Case Manager, Data Control Specialist, Rule Manager, Program
- Determine Compliance with Order
- Report Compliance status to program
- May issue violation letter
- Compliance Plan approval

2,6,11,12,13,16

CEDARS Data | CEDARS Data

E Excel | Access | Excel

CEDAR | SDWIS

PWS Information Update — 17

Data Control Specialist, Section Supervisor, Compliance Officer,
- Translate Codes
- Data Input
- Develop Activity Log
- Memo Email Updates

2,5,10.17

Enforcement Request Package | Trackg. Form

SDWIS Data

PWS | Access | Web

Excel | SDWIS

Enforcement Package — 4

Rule Manager, Compliance Officer
- Develop list of violations
- Compile system information / documents
- Complete forms
- Identify corrective forms

5,7

Yes

Sign Doc | Signature Tracking Excel

Signature Approval — 5

No

No — Section Supervisor, Bureau Chief, Division Administrator, Program Manager, Rule Manager, & Compliance Officer

Memo | SDWIS Excel

End — 6

Administrator
- Disassociate, ENFD &
- SDWIS codes
- Identify violations
- Memo to PWS from ENFD
- Vacate ENFD request

Order | SDWIS | CEDAR

Order Issuance — 11a

Case Manager, Data Control Specialist, Division Administrator
- Sign Order
- Send by Certified Mail

11,12

Appeal Process — 12

Memo BER Secty | AOC | PO Request | CEDAR

Court, Board
- Administrative Order or Consent to Settle

Appealed — 13

No / Yes

BER Order | CEDAR

Modify / Affirmed — 14

Case Manager, Attorney
- Amend Orders
- Go back into Compliance tracking
- Enter BER Orders into CEDARS

SDWIS | Excel | CEDAR

Close — 15

Data Control Specialist, Section Supervisor, Compliance Officer,
- Memo email from ENFD to PWS case closed

General Notes
1. Data Control Specialist, runs reports two times per month; PWS Case status information is provided throughout the process.
2. Compliance Officer / Section Supervisor update identification database (SDWIS).
3. The Case File contains: the File Log, Case Screening, Case Tracking and the Enforcement Package.
4. Enforcement, upon request, can vacate and Enforcement Request prior to 11a.

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Problems: 1,4,8,10,11,13,14,15,19

1. Working with two databases that don't talk to each other, CEDARS in DEQ and SDWIS in EPA.
2. A lack of real time updates of enforcement actions.
3. No indicator of violations requiring enforcement requests, lack ETT flags in SDWIS.
4. EPA dings DEQ for inadequate communication between SDWIS and CEDARS, and Enforcement and PWS. Not currently meeting timeliness.
5. Manual development of enforcement requests.
6. No indication that new violations need to be escalated.
7. Inefficient handling and tracking of PWS signatures.
8. Redundant tracking, signatures, compliance plans, etc.
9. The ETT list is not automated.
10. There is no way to predict systems that will show up on the ETT list.
11. Inability to identify all systems in enforcement and their status.
12. Not knowing the status of the Order.
13. Lack of automation on getting enforcement data into SDWIS - it's all manual.
14. Enforcement tracking codes are different between CEDARS, the Enforcement Tracking database and SDWIS, the PWS database.
15. Inaccurate data due to manual data entry.
16. Getting new violation letters to Enforcement, being able to know which letters need to go.
17. Enforcement packages don't always include enough history.
18. Violation letters are not always accurate.
19. Enforcement inability to check on the status of referred violations.

Impacts:

1. Dissimilar databases result in:
   - There is a lack of timeliness in the transfer of information.
   - Duplication of work
   - Inaccurate data
   - Staff frustration
   - Customer and stakeholder satisfaction
2. A lack of real time updates of enforcement actions results in :
   - Same as number 1.
   - New violations don't have enforcement actions associated properly
   - EPA exceptions in audits longer than allowable
   - Not meeting the timeliness of exceptions
3. Lack ETT flags in SDWIS
   - Job satisfaction
   - Staff time
4. Lack ETT flags in SDWIS
   - Same as number 1.
   - Not meeting exception dates
   - Not escalating cases
   - Lowers the confidence of the public
   - Staff spends time on EPA audits, which last one week. Approximately 12 staff spend 2 weeks
5. Manual development of enforcement requests results in:.
   - Duplication of data.
   - Inaccuracies
   - Staff time
6. Not know what violations need to be escalated results in:
   - EPA audits.
   - Staff time savings (Rule Manager and compliance Officer)
   - Adverse public perception
7. Inefficient tracking of PWS signatures results in:
   - Lack of timeliness
   - EPA audits,
   - Negative outcomes
   - Adverse public perception
8. Redundant process activities results in:
   - Duplication of effort
   - Staff time
   - May make difference information inconsistent

9. A lack of an automated ETT results in:
   - Cannot predict system of concern
   - Impacts the ability to generate the Enforcement Request
   - Timeliness of meeting exception date
   - Lose the ability to provide timely compliance assistance
10. Same as number 9.
11. Inability to identify all systems in enforcement and their status results in not all staff bring able to see their status or react, or be proactive.
12. Not knowing the status of the Order results in:
   - Same as number 11.
   - Staff does not know what direction to take with new violations.
13. Inability to get data into SDWIS in an automated manner results in:
   - Staff time.
   - Missing timelines of action.
   - Inaccurate data.
   - Increased EPA audits.
   - Increased risk to Public Health.
14. Inconsistent tracking codes results in:
   - Errors in interpretation
   - Staff time for translating data entry
15. Inaccurate data results in the same as number 14.
16. Issues with getting new violation letters to Enforcement results in not escalating cases in a timely manner
17. Incomplete enforcement packages result in:
   - Delays the development process and case development
   - Inadequate Orders
   - Staff time
18. Inaccurate Violation letters:
   - Can affect the case
   - Loss of public confidence when DEQ has to issue a detraction
   - Staff time
   - Timeliness or the Order
   - Gets noted in EPA audits
19. Enforcement inability to check on the status of referred violations results in:
   - Staff time
   - Timeliness
   - Impacts the accuracy of orders
   - Miscalculation of orders

Solutions:

1. Implemental PEATS, providing a bridge to automatically transfer data between SDWIS and CEDARS in a bi-directional manner.
2. Same as number 1.
3. Same as number 1, implement PEATS with the following features and functions:
   - Track systems in violation
   - Determine compliance status in PWS prior to the ETT lists.
   - Track systems needing enforcement.
   - Automate the Enforcement Request Forms, pulling data from SDWIS and Secretary of State website.
   - Escalation notice feature
   - ETT annotation
4. Same as number 1.
5. Same as number 1.
6. Same as number 1.
7. Same as number 1, provide Automated Workflow and E-Signatures
8. Same as number 1, provide Automated Workflow with the ability track each step in the process.
9. Same as number 1.
10. Same as number 1.
11. Same as number 1, provide the ability to track the workflow.
12. Same as number 1.
13. Same as number 1, with a migration existing open cases.
14. Same as number 1, provide a feature for auto translation.
15. Same as number 1.
16. SIA code would trigger violation letters.
17. Provide training, PEATS time help this.
18. Training, implement a QA/QC activities, and improve templates.
19. Same as number 1, and update templates.

Benefits:

1.
   - Access to real time and consistent data.
   - More efficient process
   - Reduced staff time and frustration
   - Reduced EPA audits
2.
   - Reduced inaccuracies and redundancies
3.
   - Reduction in enforcement actions
   - Meet exception dates
   - Water Systems: help the public and enhance public health protection
4.
   - Fewer audits.
5.
   - Increased accuracy
   - Staff time savings
   - Expedited requests
   - Better able to meet deadlines
6. Same as number 1.
7. Staff and management time savings.
8. Same as number 1.
9. Same as number 1 and 3.
10. Same as number 1 and 3.
11.
   - Staff time savings
   - Improved timeliness
   - Improve EPA audit outcomes
12. Same as number 1 and 3.
   - Improved escalation for enforcement.
13. Same as number 1.
14.
   - Improved accuracy
   - Staff time savings
15. Same as number 14.
16. Enhanced timeliness.
17.
   - Better package
   - Staff time savings
   - Reduce appeals
   - Improved perception of the public
18.
   - Same as number 17.
   - Better public service
19.
   - Reduced errors
   - Better Orders.